

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO**

In re:	)	Chapter 13
	)	Case No. 09-60889
David Lee Anderson	)	Judge Russ Kendig
Erica Lavish Anderson	)	
	)	
Debtors.	)	
	)	<b>MODIFICATION OF PLAN</b>

Now come Debtors, David and Erica Anderson, by and through the undersigned counsel, and request a modification of their Chapter 13 plan pursuant to 11 U.S.C. § 1329(a) and Federal Rule of Bankruptcy Procedure 3015(g).

Debtors filed a petition on March 18, 2009. Through the plan, Debtors were contributing \$1,000.00 monthly. Their plan was confirmed on September 24, 2009.

Debtor is going to be off work starting November 1, 2011 through the end of December due to a hand surgery. Due to the decrease in income for the month of November and December, Debtors request their chapter 13 payments be suspended for November and December 2011. Debtors propose to lower the percentage to unsecured creditors to a prorata distribution for the 60 months to restore feasibility. Debtors also propose to keep their next bonus in its entirety to help with their expenses. Debtors will continue their \$1,000.00 payment starting January 2012. Any delinquency is suspended with approval of this modification and the plan term if necessary will be extended to maintain feasibility.

Wherefore, Debtors pray the Court approve the modification and grant such other relief as may be just and appropriate.

Submitted by:

/s/Nicole L. Rohr  
Nicole L. Rohr (#0078316)  
Thrush & Rohr, L.L.C.  
4410 22<sup>nd</sup> Street NW  
Canton OH 44708  
(330) 479-9494  
(330) 479-9585 *fax*  
Counsel for Debtors

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**NOTICE OF MODIFICATION OF PLAN**

Debtors have filed papers with the Court seeking to modify their Chapter 13 plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have any attorney, you may wish to consult one.)**

If you do not want the court to grant the requested modification, or if you want the court to consider your views on the modification, then on or before **December 12, 2011**, you or your attorney must:

File with the court a written response, explaining your position, and a written request for a hearing, at:

**U.S. Bankruptcy Court,  
Ralph Regula U.S. Courthouse,  
401 McKinley Ave SW, Canton, OH 44702**

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date state above.

You must also mail a copy to:

Nicole L. Rohr  
Thrush & Rohr, L.L.C.  
4410 22<sup>nd</sup> Street NW  
Canton OH 44708

Toby L. Rosen  
Office of the Chapter 13 Trustee  
400 W. Tuscarawas Ave., Suite 400  
Canton, Ohio 44702

If you or your attorney do not take these steps, the court may decide that you do not oppose the modification and the modification may be granted.

Date: November 21, 2011

Signature: /s/Nicole L. Rohr  
Name: Nicole L. Rohr  
4410 22<sup>nd</sup> Street NW  
Canton OH 44708

## **CERTIFICATE OF SERVICE**

I, Nicole Rohr, hereby certify that a true and accurate copy of the foregoing was sent by regular US Mail, postage prepaid, this 21<sup>st</sup> day of November 2011 to the following individuals:

David and Erica Anderson 1561 Locust Street Canal Fulton OH 44614

Affinity Medical Center PO Box 10390 Fort Wayne, IN 46852-0390

Akron Childrens Hospital PO Box 1750 Akron, OH 44309-1750

Akron Childrens Hospital Radiology PO Box 29 Akron, OH 44309-0029

Bank of America PO Box 15026 Wilmington, DE 19850-5026

Barberton Anesthesia Care Dept 3302 PO Box 74382 Cleveland, OH 44194

Chase 800 Brooksedge BLVD Westerville, OH 43081

Columbia House PO Box 91640 Indianapolis, IN 46291-0640

Countrywide 400 Countrywide Way Simi Valley, CA 93065-6298

Direct TV PO Box 6414 Carol Stream, IL 60197-6414

Discover PO Box 6103 Carol Stream, IL 60197

Discover PO Box 15251 Wilmington, DE 19886-5251

Discover PO Box 981064 El Paso, TX 79998-1064

Discover 12 Reads Way New Castle, DE 19720-1649

Fifth Third Bank Northeastern Ohio PO Box 630778  
Cincinnati, OH 45263-0778

Fingerhut PO Box 166 Newark, NJ 07101-0166

First Merit Bank 295 First Merit Circle Akron, OH 44307-2359

Freedom Road Dept CH 8612 Palatine, IL 60055

GEMB Lowes PO Box 981064 El Paso, TX 79998

GEMB/ Sams Club PO Box 981064 El Paso, TX 79998

GMAC Payment Processing Center PO Box 9001951  
Louisville, KY 40290-1951

HSBC PO Box 98706 Las Vegas, NV 89193-8706

Huntington National Bank PO Box 182519 Columbus, OH 43218-2519

IC Systems INC 444 Highway 96 E PO Box 64437 Saint Paul, MN 55164-0437

Javitch, Block, & Rathbone 1100 Superior Avenue 18th Floor  
Cleveland, OH 44114-2518

Kohl's Payment Center PO Box 2983 Milwaukee, WI 53201-2983

Nationwide Credit INC PO Box 740640 Atlanta, GA 30374-0640

Ravenna Radiology PO Box 76051 Cleveland, OH 44101

Sams Club PO Box 530942 Atlanta, GA 30353-0942

Sams Club 4605 Duke Dr Mason, OH 45040

Sears 8725 W Sahara AVE The Lakes, NV 89163-7802

Summa Barberton Hospital PO Box 71-4139 Columbus, OH 43271

Weltman Weinberg & Reis PO Box 93596 Cleveland, OH 44101

Weltman Weinberg Reis 323 W Lakeside AVE Cleveland, OH 44113

Zwicker and Associates 80 Minuteman RD Andover, MA 01810-1031

I, Nicole Rohr, hereby certify that a true and accurate copy of the foregoing was electronically transmitted on or about November 21, 2011 to the following who are listed on the Court's Electronic Mail Notice List:

- Nicole L. Rohr nlratty@yahoo.com,  
nlrohr22@yahoo.com;thrushrohr@yahoo.com;thrushrohr@gmail.com
- Toby L Rosen lweir@chapter13canton.com
- United States Trustee (Registered address)@usdoj.gov

/s/ Nicole L. Rohr  
Nicole L. Rohr